

REMARKS

Claims 1, 6-13, 15-21, 23, 27-29, 33, and 34 are currently pending. The Applicant appreciates the withdrawal of the previously asserted obviousness rejections. Nonetheless, the Examiner has maintained the enablement rejection. The Applicant appreciates the Examiner's Interview to discuss this Final Office Action and respects the Examiner's position. Nonetheless, the Applicant still believes that the term "bovine salivary gland protein promoter" does not encompass parotid and/or submaxillary promoters.

In particular the Examiner states that, in regards to Claims 1, 6-13, 15-21, 23, 27-29, 33, and 34, the specification:

... does not reasonably provide enablement for a transgenic caprine comprising all bovine salivary gland promoters other than the bSP30a or bSP30b promoter.

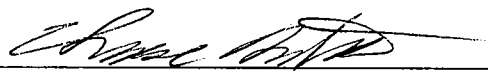
Office Action pg 2. The Applicants disagree. Nonetheless, without acquiescing to the Examiner's argument but to further the prosecution, and hereby expressly reserving the right to prosecute the original (or similar) claims, Applicants have amended Claims 1, 20, & 29 to recite that the bovine salivary gland protein promoter "is selected from the group consisting of bSP30a and bSP30b", in view of previously submitted Erickson Declaration. These amendments are made not to acquiesce to the Examiner's argument but only to further the Applicants' business interests, better define one embodiment and expedite the prosecution of this application.

The Examiner is respectfully requested to withdraw the present rejection.

CONCLUSION

The Applicant believes that the arguments and claim amendments set forth above traverse the Examiner's rejections and, therefore, request that all grounds for rejection be withdrawn for the reasons set above and pass the remaining claims to allowance. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicant encourages the Examiner to call the undersigned collect at 781-828-9870.

Dated: March 10, 2010

By: 
Thomas C. Howerton
Registration No. 48,650
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, CA 94105
781-828-9870